

DIVISION OF MINES GUIDELINES FOR APPLICATION OF REGULATORY STANDARDS MANUAL	
COAL MINE SAFETY ACT	CHAPTER 14.2
ARTICLE 5	LICENSING OF MINES
Issue Date: 4/10/00 Revised Date: 4/15/04	Page 1 of 1

Section 45.1-161.57. A . License Required for Operation of Coal Mines

In determining when a separate mine license is required, the inspector should consider the following:

- Are the operations being performed at the site different mining methods, such as auger, strip and/or underground mining?
- Are there separate entities operating at the site, such as different companies, different ownership, and operators?
- Are operational activities in different geographical areas?
- Are mining activities projected to mine together within the mine plan?

A separate mine license is required for each different method of mining employed at any site. Where there are different companies, ownership and operators in the same location a separate mine license is required. If surface equipment owned by the same operator is operating in different geographical areas not connected and not within a reasonable travel time, then separate licenses should be required. When operational activities are not connected and projected to mine together, a separate mine license for each activity need not be secured.

A current mine license is required through initial reclamation of a previously licensed surface or underground mine site. This includes any mine site being reclaimed through initial reclamation by contractors working under AML bond forfeiture.

A current mine license is not required for harvesting trees if control has been vested with a contracted service for timbering only. This activity would fall under VOSH standards and not the Virginia Coal Mine Safety Act (MSA).

A mine license is not required for a site conducting coal removal for sale if that site is not principally a coal mine. This section of the MSA requires a mine license prior to the “operation of any coal mine”. Excavation work for sites such as highway construction, business construction, and home construction are not considered a coal mine as long as the coal removed is necessary for the site construction. However, if the site construction and related coal removal expands beyond the area relevant to the construction of such site, then a mine license may be required. This should be coordinated with the DMLR’s determination whether a coal surface mining permit is required for the activities.